

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION**

OTIS LEE HUNTER,)	
)	
Petitioner,)	
)	
v.)	
)	Case No. 1:22-cv-474-LSC-GMB
MATTHEW WADE, <i>et al.</i> ,)	
)	
Respondents.)	

MEMORANDUM OPINION

The Magistrate Judge entered a report (doc. 3), recommending that the court dismiss Otis Lee Hunter's petition for writ of habeas corpus without prejudice. The court has not received any objections.

After considering the record and the Magistrate Judge's report, the court **ADOPTS** the report and **ACCEPTS** the recommendation. Consistent with that recommendation, the court will **DISMISS WITHOUT PREJUDICE** the petition for writ of habeas corpus.

The court will enter a final judgment.

This court may issue a certificate of appealability "only if the applicant has a made a substantial showing of the denial of a constitutional right." 28 U.S.C. 2253(c)(2). To make such a showing, a "petitioner must demonstrate that reasonable jurists would find the district court's assessment of the constitutional claims

debatable or wrong,” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000), or that “the issues presented were adequate to deserve encouragement to proceed further.” *Miller-El v. Cockrell*, 537 U.S. 322, 336 (2003) (internal quotations omitted). The court finds Hunter’s claims do not satisfy either standard.

DONE and **ORDERED** on August 9, 2022.

A handwritten signature in black ink, appearing to read 'L. Scott Coddler', written over a horizontal line.

L. Scott Coddler
United States District Judge

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